

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

ALEJANDRO HANDAL, DONALD  
DOMINIQUE, AND JACK HILL,  
Individually and on Behalf of All Others  
Similarly Situated,

Plaintiff,

v.

TENET FINTECH GROUP INC. F/K/A PEAK  
FINTECH GROUP INC., JOHNSON JOSEPH,  
and JEAN LANDREVILLE,

Defendants.

Case No: 1:21-cv-06461-PKC-RLM

**STIPULATION AND [PROPOSED] ORDER  
REGARDING VOLUNTARY PARTIAL DISMISSAL**

WHEREAS, in its September 25, 2023, Memorandum and Order (“Order,” Dkt. No. 40) granting in part, and denying in part, Defendants’<sup>1</sup> motion to dismiss the Amended Complaint (Dkt. No. 25), the Court sustained Count I against all Defendants and Count II against Defendant Joseph, but dismissed, without prejudice, Count II against Landreville and Counts III and IV against all Defendants;

WHEREAS, Plaintiffs, pursuant to the Order, filed the Second Amended Complaint on October 25, 2023 (Dkt. No. 44);

WHEREAS, Defendants submitted a letter, requesting a pre-motion conference in anticipation of filing a motion to dismiss the Second Amended Complaint pursuant to Fed. R.

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<sup>1</sup> “Defendants” are Tenet Fintech Group Inc. (“Tenet”), Johnson Joseph (“Joseph”) and Jean Landreville (“Landreville”). “Plaintiffs” are Lead Plaintiff Alejandro Handal and named plaintiffs Donald Dominique and Jack Hill.

Civ. P. 12(b)(6) (Dkt. No. 45), Plaintiffs responded on December 15, 2023 (Dkt. No. 46) and, on December 21, 2023, the Court scheduled a pre-motion conference for February 15, 2023.

WHEREAS, Defendants have neither answered the Second Amended Complaint nor moved for summary judgment and no Plaintiff has previously dismissed Counts II as to Landreville or Counts III and IV as to all Defendants in any action in either state or federal court; and

WHEREAS, counsel for the parties have met and conferred.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, that:

1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs voluntarily dismiss Count II of the Second Amended Complaint only as to Landreville and Counts III and IV of the Second Amended Complaint as to all Defendants.

2. Defendants will file their Answer to Plaintiffs' Second Amended Complaint, with respect to Count I as to all Defendants and Count II as to Johnson, on or before March 14, 2024.

3. With respect to Count II as to Landreville and Counts III, and IV as to all Defendants, all parties shall bear their own costs and expenses of litigation.

**IT IS SO STIPULATED.**

Dated: January 30, 2024

**MINTZ LEVIN COHN FERRIS  
GLOVSKY AND POPEO, P.C.**

By: /s/ Douglas P. Baumstein  
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*Counsel for Defendants Tenet Fintech Group,  
Inc., Johnson Joseph, and Jean Landreville*

Dated: January 30, 2024

**THE ROSEN LAW FIRM, P.A.**

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*Counsel for Lead Plaintiff Alejandro Handal*

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2024

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HON. PAMELA K. CHEN  
UNITED STATES DISTRICT JUDGE